

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

NATIONAL
PREA
RESOURCE
CENTER



BJA
Bureau of Justice Assistance
U.S. Department of Justice

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Name of facility: Rutherford County Juvenile Detention			
Physical address: 1710 S Church Street, Suite 4 Murfreesboro, TN 37130			
Date report submitted: December 15, 2014			
Auditor Information			
Address: 440 Jasmine Lane, Columbia, SC			
Email: myersr2@rcgov.us			
Telephone number: 803-576-3209			
Date of facility visit: Oct 27-28, 2014			
Facility Information			
Facility mailing address: (if different from above)			
Telephone number:			
The facility is:	Military	<u>County</u>	Federal
	Private for profit	Municipal	State
	Private not for profit		
Facility Type:	<u>Jail</u>	Prison	
Name of PREA Compliance Manager:			Title:
Email address:			Telephone number:
Agency Information			
Name of agency: Rutherford Cty Detention Ctr			
Governing authority or parent agency: Rutherford County (if applicable)			
Physical address:			
Mailing address: (if different from above)			
Telephone number:			
Agency Chief Executive Officer			
Name: Lynn Duke		Title:	Director
Email address: lduke@rutherfordcountyttn.gov		Telephone number:	615-898-7954
Agency-Wide PREA Coordinator			
Name: Lynn Duke		Title:	Director
Email address: lduke@rutherfordcountyttn.gov		Telephone number:	615-898-7954

AUDIT FINDINGS

NARRATIVE:

I conducted a PREA Audit of the Rutherford County Juvenile Detention Center. I started with a staff briefing with Lynn Duke, Facility Director. We discussed the audit agenda, facility tours, 10 staff members selected to be interviewed, and 10 inmates from various housing units.

DESCRIPTION OF FACILITY CHARACTERISTICS:

The facility is a direct supervision facility. The facility has a center control that monitors the activities of the detention center. The center has 3 pod or units with 16 beds in each unit. The staff are located in the housing units. However, central control can view all the housing units via camera or normal view. There are female officers on the unit to supervisor the female inmates. Cameras are used in the facility and have about 30 days of digital recording time.

SUMMARY OF AUDIT FINDINGS:

The facility was well prepared for the audit. There were no deficiencies noted from the onsite visit. However few deficiencies noted during the review of the policies. After speaking with the director those deficiencies were corrected.

I found the staff well trained on PREA. The inmates were trained and briefed daily on PREA. All poster or signs were posted conspicuously in all the housing units, intake, visitation areas and Detention Center's website.

Number of standards exceeded:

Number of standards met: 43

Number of standards not met: 0

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Prison Rape Elimination Act final Report
PREA Juvenile Standards

Prevention Planning - Juvenile Facility

§ 115.311 Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

Meets standards

The facility follow all the steps in the PREA regulation with training staff, steps are outlined in the agency's policy and procedure manual on how to held PREA related issues.

§ 115.312 Contract with other entities for the confinement of juvenile/residents

Meets standards

N/A Facility does not contract with other agencies for house juvenile/residents.

§ 115.313 Supervision and monitoring

Meets Standard

The facility has enough staff and monitoring device to effective monitor the agency. The facility staffing plan has no deviation. Positions are filled with overtime personnel to cover any shortages from the plan. There are contingency plans in place for emergency operations. There is a policy in place and sign in log showing the report time of unannounced visits by the supervisors

The facility is no court order or federal oversight.

§ 115.315 Limits to cross-gender viewing and searches

The Detention Center has a policy in place for cross gender searches will only take place under extenuating circumstance and will be documented. No cross gender viewing

§ 115.316 Juvenile/residents with disabilities and juvenile/residents who are limited English proficient

Meet the standards

There is a plan in place to provide assistance for juvenile/residents who fall into this category. The staff is aware of the requirement and how to provide assistance when needed. There is a limited English proficient line the juvenile/resident can use to assist with PREA issues. The juvenile/residents are screened and briefed to ensure they understand their rights on PREA. The facility uses the same on call interpretation services the court uses.

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PREA Juvenile Standards

§ 115.317 Hiring and promotion decisions

Meet standards

The facility completes a thorough criminal background check on all employees prior to hire. Checks include NCIC, local sexual predator registry and past employment history in accordance with Rutherford County Human Resource Policy.

§ 115.318 Upgrades to facilities and technologies

Meets Standards

The agency has updated security camera to cover blind spots through the facility.

Responsive Planning - Juvenile Facility

§ 115.321 Evidence protocol and forensic medical examinations

Meets standards

N/A

All departmental personnel were trained on how to protect the crime scene.

The local police investigate all criminal matters. All investigators that report to conduct an PREA investigation have been trained in Sexual Abuse Protocols. The forensic medical examinations are performed by the local hospital. There is no MOU in place

§ 115.322 Policies to ensure referrals of allegations for investigations

Meets standard

The facility has several ways to refer allegation by staff or juvenile/residents. The juvenile/residents receive daily briefing on how to report PREA incidents. The staff works with state inspectors that have been trained in PREA. Allegation of sexual abuse are turned over to the department of children services

Training and Education - Juvenile Facility

§ 115.331 Employee training

Meets standard

All employees receive the required PREA training prior to supervising juvenile/residents. The training is documented in files

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§ 115.332 Volunteer and contractor training

Meets standard

All volunteers and contractor receive the required PREA training prior to supervising juvenile/residents.

§ 115.333 Juvenile/resident education

Juvenile/residents are asked questions about being sexual abuse and receive PREA training at the initial intake process, classification and in their housing units.

§ 115.334 Specialized training: Investigations

Meets standards

The local police have trained investigators on how to handle victims of sexual assault/abuse.

§ 115.335 Specialized training: Medical and mental health care

Meets standards

THE DETENTION CENTER uses the local hospital which has trained. There is no MOU in place.

Screening for Risk of Sexual Victimization and Abusiveness - Juvenile Facility

§ 115.341 Screening for risk of victimization and abusiveness

Meet standards

Juvenile/residents are screened at the initial intake process. Several key questions are asked to screen the juvenile/resident for possible victimization. Also, in the classification process the juvenile/residents screened again. Document of on assessment forms.

§ 115.342 Use of screening information

Meets standard

The information received from the juvenile/residents is used to determine housing assignment, program and medical/mental needs.

§ 115.343 Protective custody

Meets standards

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PREA Juvenile Standards

Restrictive housing is used as a last effort when no other housing options are available.
Documentation is placed in the juvenile file with periodic reviews from classification.

Reporting - Juvenile Facility

§ 115.351 Juvenile/resident reporting

Meets standards

The juvenile/residents have received training on PREA reporting. PREA information is posted through the juvenile/residents' housing unit. The juvenile/residents can report verbally, written and on the telephone. Juvenile/residents can inform a staff, visitor, attorney, contractor just to name a few. This evident during the interview process, the juvenile/residents knew how to report sexual harassment or abuse.

§ 115.352 Exhaustion of administrative remedies

Exempted

No administrative remedies

§ 115.353 Juvenile/resident access to outside confidential support services

Meets standard

The organization has a hotline to the Department of Children's Services.

§ 115.354 Third-party reporting

Meet Standards

The organization has avenues to receive third party reporting. The juveniles are advised on the different ways to report a PREA violation.


Official Response Following a Juvenile/resident Report - Juvenile Facility

§ 115.361 Staff and agency reporting duties

All sexual abuse allegations will report to the incident to the supervisor, documented and investigated immediately.

§ 115.362 Agency protection duties

Meets standard

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PREA Juvenile Standards

The agency has steps in place throughout the process to protect the juvenile/residents. The agency has an initial assessment, 72 hours classification assessment and periodic assessment during the juvenile/residents' incarceration. The facility has poster throughout the facility and briefed the juvenile/residents each morning on PREA.

§ 115.363 Reporting to other confinement facilities

Meets standard

There is a policy and procedure in place if the agency should receive information of juvenile/residents has been sexual abused from another facility. The protocol is the same as if the juvenile/resident was incarcerated at the facility.

§ 115.364 Staff first responder duties

Meet standards

The all staff, volunteers and contracts have been trained as first responders and know the protocol for the first responder: separate the juvenile/residents and preserve the scene.

§ 115.365 Coordinated response

Meets standard

The facility has a plan in place if this incident happens that immediate notifications will go to have agency head, PREA coordinator and other supervisors.

§ 115.366 Preservation of ability to protect juvenile/residents from contact with abusers

Meets standard

No agreement in place that will infringe on the juvenile/resident rights to be protected or report sexual abuse

§ 115.367 Agency protection against retaliation

Meets standards

The agency has policy in place. In addition the safeguards the victim by ensuring the victims is not placed in same housing area with the assailant. A classification system and alerts in place to keep the victim separate from their assailant.

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§ 115.368 Post-allegation protective custody

Meets standard

Juvenile/residents will only be placed in restrictive housing a last effort and no other options are available.

Investigations - Juvenile Facility

§ 115.371 Criminal and administrative agency investigations

Meets standard

The agency turns over all criminal investigation to local law enforcement and the Tennessee State Department of Children's Services Tennessee.

§ 115.372 Evidentiary standard for administrative investigations

The agency has no higher standards in the policy and states it as such.

§ 115.373 Reporting to juvenile/residents

Meets standards

The agency follows the PREA guidelines and has written the procedures as outline in the PREA regulation.

Discipline - Juvenile Facility

§ 115.376 Disciplinary sanctions for staff

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Meets standard

If the allegation of sexual abuse or harassment is sustained the employee is no longer eligible for employee under the terms of hire, promotion or retain employment.

§ 115.377 Corrective action for contractors and volunteers

Meet standard

The sections is the same as 115.76 for contactor and volunteers

§ 115.378 Disciplinary sanctions for juvenile/residents

Meets standard

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The facility has a plan for perpetrators. The person will be discipline after medical and mental health has evaluated the juvenile/resident to determine if the juvenile/resident is disabled and mental state.

Medical and Mental Care - Juvenile Facility

§ 115.381 Medical and mental health screenings; history of sexual abuse

Meets standards

There is a process in plan for a juvenile/residents to be screen and evaluated as required. However; the residences are screened for prior victimization. If resident has been victimized they will receive care as ordered by the physician or mental health specialist.

§ 115.382 Access to emergency medical and mental health services

Meets standard

The agency has limited medical and mental health staff available normal business hours. However the facility uses emergency room or an urgent care facility. There is no cost to the victim

§ 115.383 On going medical and mental health care for sexual abuse victims and abusers

Meets standard

The agency has medical and mental staff on duty readily available. There is a process in plan for a juvenile/residents to be screen and evaluated in required. The facility is link to outside provider for a continuous care once the juvenile/resident is release. The incident is given information as where to go for treatment. There is no cost to the victim.

Data Collection and Review - Juvenile Facility

§ 115.386 Sexual abuse incident reviews

Meets standard

There is comprehensive after action review of all incidents that happen in the facility. This done to see if all procedures were followed and to evaluate current practices for efficiency and effectiveness

§ 115.387 Data collection

Meets standard

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Data is collect and reviewed each by staff to determine trends.

§ 115.388 Data review for corrective action

Meets standard

See standard 115.86

§ 115.389 Data storage, publication, and destruction

Meets standards

The agency post its data on its website.

AUDITOR CERTIFICATION:

The auditor certifies that the contents of the report are accurate to the best of his/her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review



Auditor's Signature

December 15, 2014

Date